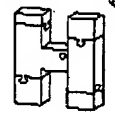


RECEIVED
CENTRAL FAX CENTER
MAY 02 2005

PATENT,
TRADEMARK, &
COPYRIGHT
LAW

HEIMBECHER & ASSOC., LLC



390 UNION BLVD, SUITE 650
LAKEWOOD, COLORADO 80228-6512
TELEPHONE: 303.279.8888
FAX: 303.985.0651

FACSIMILE COVER SHEET

The information contained in this facsimile message, if a client of this Firm is a named addressee, or if the message is otherwise intended for a client, is presumptively legally privileged, confidential, and exempt from disclosure under applicable law. If you are not a named addressee, or if there is any reason to believe that you may have received this message in error, (1) do not read the message below; (2) do not distribute or copy this facsimile; (3) please immediately call us (collect) at the number of the sender below; and (4) please return the original message to us at the above address via the United States Postal Service. Thank you.

DATE: 2 May 2005

TO: J.R. Cottingham
FIRM/COMPANY: USPTO

TOTAL # OF PAGES (INCLUDING
THIS COVER PAGE): //

FAX #: (703) 872-9306

PHONE #: (571) 272-7079

FROM: Thomas J. Osborne, Jr., Esq.
EMAIL: TomO@heimbecher.com

FAX #: (303) 985-0651

PHONE #: (303) 279-8888

MESSAGE:

MATTER NO.: 073-040000US

Serial no.: 10/810,240

Enclosures:

1. Certificate of facsimile transmission (1 page);
2. Transmittal Form (1 page); and
3. Amendment and Response (8 pages).


Originator's signature

Original will be sent via ☐ Mail ☐ Email ☐ Messenger ☐ Air Courier ☒ Will not be sent

PLEASE CALL THE NUMBER ABOVE IMMEDIATELY IF THIS TRANSMISSION IS INCOMPLETE OR ILLEGIBLE. PLEASE ASK FOR ADAM.

RECEIVED
CENTRAL FAX CENTER

MAY 02 2005

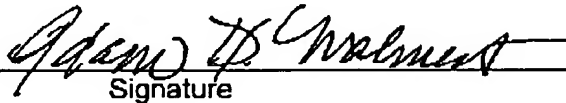
Serial no.: 10/810,240
Attorney Docket No. 073-040000US
Via Facsimile: 703-872-9306

PTO/SB/97 (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
d to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on 02 May 2005
Date


Signature

Adam Malmut

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

1. Transmittal form (1 page);
2. Amendment and Response (8 pages); and
3. Facsimile cover sheet (1 page).

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Via Facsimile no.: (703) 872-9306

PTO/SB/21 (09-04)

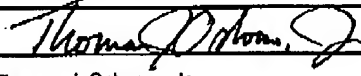
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM	Application Number	10/810,240	
	Filing Date	25 March 2004	
	First Named Inventor	Robert J. Egan	
	Art Unit	2116	
	Examiner Name	J.R. Cottingham	
(to be used for all correspondence after initial filing)		Attorney Docket Number	073-040000US
Total Number of Pages in This Submission			

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Certificate of Express Mailing; and 2. Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Heimbecher & Assoc., LLC		
Signature			
Printed name	Thomas J. Osborne, Jr.		
Date	2 May 2005	Reg. No.	39,796

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Via Facsimile no.: (703) 872-9306

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
CENTRAL FAX CENTER****MAY 02 2005**

Application No.	: 10/810,240	Confirmation No.	: 1768
First Applicant	: Robert J. Egan	Art Unit	: 2116
Filed	: 25 March 2004	Examiner	: J.R. Cottingham
Title	: Lockable protective cap for posts		
Docket No.	: 073-040000US		
Customer No.	: 33486		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

The Applicant has received and considered the Office action mailed 4 February 2005.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.